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U.S. DISTRICT COURT
N.D. OF ALABAMA

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

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MEMORANDUM OF OPINION

The magistrate judge filed findings and recommendation on October 29, 2008 recommending that the petition for writ of habeas corpus be denied. The parties were allowed fifteen days in which to file objections to the findings and recommendation. No objections have been filed.

Although the absence of objections means that the magistrate judge's findings are deemed correct, the court has reviewed and considered *de novo* all the materials in the court file. The court is of the opinion that the magistrate judge's findings are due to be and are hereby ADOPTED and his recommendation is ACCEPTED. Accordingly, the petition for writ of habeas corpus is due to be DENIED. A final judgment will be entered accordingly.

As to the foregoing it is SO ORDERED this the 25th day of November, 2008.

WILLIAM M. ACKER, JR. ______ UNITED STATES DISTRICT JUDGE